

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON**

<b>IN RE ETHICON, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION</b>	<b>Master File No. 2:12-MD-02327 MDL 2327</b>  <b>JOSEPH R. GOODWIN U.S. DISTRICT JUDGE</b>
<b>THIS DOCUMENT RELATES TO: WAVE 2 CASES</b>	

**MOTION TO EXCLUDE THE OPINIONS  
AND TESTIMONY OF PAUL J. MICHAELS, M.D.**

Defendants Ethicon, Inc. and Johnson & Johnson (“Ethicon”) move to exclude the opinions and testimony of Dr. Paul J. Michaels. Dr. Michaels’ proposed opinion testimony is unreliable and irrelevant under the standard set forth in *Daubert v. Merrell Dow Pharm., Inc.*, 509 U.S. 579 (1993). Ethicon incorporates its Memorandum of Law in Support of Motion to Exclude the Opinions and Testimony of Paul J. Michaels, M.D., and also the following exhibits:

1. List of cases to which this motion applies, attached as Exhibit A.
2. June 18, 2016 General Deposition of Paul J. Michaels, attached as Exhibit B.
3. Expert Report of Dr. Michaels in the Sandra Childress case, attached as Exhibit C.
4. August 25, 2014 Trial Testimony from the Jo Huskey case, attached as Exhibit D.
5. March 23, 2016 deposition of Scott Guelcher, attached as Exhibit E.
6. March 2, 2016 deposition of Jimmy Mays, attached as Exhibit F.
7. October 30, 2013 deposition of Howard Jordi, attached as Exhibit G.

8. June 18, 2016 deposition of Paul Michaels in the Tamara Carter case, attached as Exhibit H.
9. June 18, 2016 deposition of Paul Michaels in the Marion Chrysler case, attached as Exhibit I.
10. February 12, 2014 trial testimony from the Carolyn Lewis case, attached as Exhibit J.
11. June 18, 2016 deposition of Paul Michaels in the Sandra Childress case, attached as Exhibit K.
12. Eth.Mesh.15955462, attached as Exhibit L.
13. Wave 2 General Report of Dr. Steven MacLean, attached as Exhibit M.
14. S. Benight, *et al.*, *Microscopy of Intentionally Oxidized Polypropylene-Based Mesh Material* (forthcoming May 2016), attached as Exhibit N.
15. C.R. Costello, *et al.*, *Characterization of Heavyweight and Lightweight Polypropylene Prosthetic Mesh Explants From a Single Patient*, 14 Surg. Innov. 168 (2007), attached as Exhibit O.
16. A. Clave, *et al.*, *Polypropylene As a Reinforcement In Pelvic Surgery Is Not Inert: Comparative Analysis of 100 Explants*, 21 Int. Urogynecol. J. 261, 266 (2010), attached as Exhibit P.
17. A.J. Wood, *et al.*, *Materials Characterization and Histological Analysis of Explanted Polypropylene, PTFE, and PET Hernia Meshes from an Individual Patient*, 24 J. Mater. Sci. Mater. Med. 1113 (2013), attached as Exhibit Q.
18. W. Jongebloed & J. Worst, *Degradation of Polypropylene in the Human Eye: A SEM Study*, 64 Documenta Ophthalmologica 143 (1986), attached as Exhibit R.
19. C. Mary, *et al.*, *Comparison of the In Vivo Behavior of Polyvinylidene Fluoride and Polypropylene Sutures Used in Vascular Surgery*, 44 Am. Soc'y Artificial Internal Organs J. 199 (1998), attached as Exhibit S.
20. Wave 2 General TVT Expert Report of Shelby Thames, attached as Exhibit T.
21. T. Liebert, *et al.*, *Subcutaneous Implants of PP Filaments*, 10 J. Biomed. Mater. Res. 939 (1976), attached as Exhibit U.

22. March 25, 2014 Deposition of Scott Guelcher from the Tonya Edwards case, attached as Exhibit V.
23. Eth.Mesh.13334286-13334299, attached as Exhibit W.
24. Eth.Mesh.15955438-15955473, attached as Exhibit X.
25. V. Iakovlev, et al., *Pathology of Explanted Transvaginal Meshes* (2014), attached as Exhibit Y.
26. V. Iakovlev, et al., *Degradation of Polypropylene In Vivo: A Microscopic Analysis of Meshes Explanted From Patients*, J. Biomed. Mater. Res. Part B (2015), attached as Exhibit Z.
27. Excerpts from William Westra, et al., *Surgical Pathology Dissection* (2003), attached as Exhibit AA.
28. Excerpts from Susan Lester, *Manual of Surgical Pathology* (2010), attached as Exhibit BB.
29. March 31, 2016 deposition of Maria Abadi, attached as Exhibit CC.
30. A. Hill, et al., *Histopathology of Excised Midurethral Sling Mesh*, 26 Int'l Urogynecol. J. 591 (2015), attached as Exhibit DD.
31. Expert Report of Paul Michaels from the Ana Sierra case, attached as Exhibit EE.
32. General Expert Report of Roger McLendon, attached as Exhibit FF.
33. General Expert Report of Hannes Vogel, attached as Exhibit GG.
34. General Expert Report of Teri Longacre, attached as Exhibit HH.

WHEREFORE, FOR THESE REASONS and as more fully set forth in Ethicon's supporting memorandum of law, Ethicon respectfully requests that this Court enter an order granting Ethicon's Motion to Exclude the Opinions and Testimony of Dr. Paul J. Michaels.

Respectfully submitted,

ETHICON, INC. AND  
JOHNSON & JOHNSON

/s/ David B. Thomas

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**CERTIFICATE OF SERVICE**

I certify that on July 21, 2016, I electronically filed this document with the clerk of the court using the CM/ECF system, which will send notification of this filing to CM/ECF participants registered to receive service in this MDL.

/s/ David B. Thomas

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